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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

This Document Relates to:

ALL ACTIONS

Case No. 3:23-md-03084-CRB

**DECLARATION OF DANIEL
CUMMINGS IN SUPPORT OF
DEFENDANTS' STATEMENT IN
SUPPORT OF PLAINTIFFS'
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIALS SHOULD BE
SEALED [ECF NOS. 2518, 2542]**

Judge: Hon. Lisa J. Cisneros
Courtroom: G – 15th Floor

DECLARATION OF DANIEL CUMMINGS IN SUPPORT OF DEFENDANTS' STATEMENT IN SUPPORT OF
PLAINTIFFS' ADMINISTRATIVE MOTION TO CONSIDER WHETHER ANOTHER PARTY'S MATERIALS
SHOULD BE SEALED [ECF NO. 2439]

DECLARATION OF DANIEL CUMMINGS

I, Daniel Cummings, having personal knowledge of the following state:

1. I am a partner at the law firm of Shook, Hardy & Bacon LLP, attorneys of record for Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC, (collectively, “Uber”). I am a member in good standing of the Bars of the States of Missouri, Kansas, and Nebraska. I know the following facts to be true of my own knowledge, except those matters stated to be based on information and belief, and if called to testify, I could competently do so. I respectfully submit this declaration in support of Uber’s Statement in Support of Plaintiffs’ Administrative Motion to Consider Whether Another Party’s Material Should Be Filed Under Seal, ECF No. 2518 and 2542, (“Uber’s Statement”).

2. I have reviewed the unredacted version of Plaintiffs’ Brief in Opposition to Defendants’ Motion for Protective Order, filed under seal and in redacted form on March 14, 2025. The redactions which Uber seeks to maintain are found on pages and lines 6:1-2, 9:21-10:5, 13:14-19, 14:3-4, 17:9-15, 17:18-18:6, 20:4-6, and 20:10-11, and on page 14, footnote 19. The redacted material consists of confidential information about financial compensation, internal performance analyses, communication strategies, confidential research and product feature proposals, and background check and independent driver deactivation policies. Uber has expended significant resources developing its internal policies, procedures, business strategies and plans, product proposals, and research. Therefore, disclosure of this information risks harm to Uber through its competitors utilizing the information and copying processes. Relatedly, the risk that communications and documents related to confidential internal business decisions and strategies will be unsealed (especially under the lower good cause standard) is likely to cause harm by chilling frank discussion and innovation if a business’s legitimate interests in confidentiality are disregarded.

3. I have reviewed Exhibits 1, 20, 25, 26, 28, 30, 42, 126, 127, 128, 130, 132, 139, 141, 147, 148, 154, 163, and 166 to the Declaration of Roopal Luhana in Support of Plaintiffs’ Brief in Opposition to Defendants’ Motion for Protective Order, and all other exhibits to this declaration. These specific exhibits, and other exhibits at issue in Plaintiffs’ Motion, contain non-public email

1 addresses of Uber employees and other personal identifying information of Uber employees and third
2 parties. Public disclosure of this information would violate the legitimate privacy interests of these
3 individuals. Additionally, Exhibit 166 contains a link to Uber's internal JIRA system related to the
4 incident discussed in that email. This link should be redacted in light of the potential cybersecurity
5 risk of including a link to Uber's internal systems on the public docket, and risk of disclosure of highly
6 sensitive information contained in the linked incident report in the event of a security breach.

7 4. I have reviewed Exhibits 3, 4, 13, 14, 15, 17, 101, 112, 113, and 136 to the Declaration
8 of Roopal Luhana in Support of Plaintiffs' Brief in Opposition to Defendants' Motion for Protective
9 Order. These documents are confidential deposition transcripts. These deposition transcripts should
10 be maintained under seal for two primary reasons. First, documents should be sealed under the good
11 cause standard when they are already protected from disclosure in a separate court proceeding and
12 sealing is necessary to "avoid disparate treatment." *In re Xyrem*, 2023 WL 3874024, at *2 (N.D. Cal.
13 June 6, 2023); *Netlist Inc.*, 2024 WL 2429346, at *1. Each of the deposition transcript exhibits is from
14 a deposition in another litigation (including some that were cross-noticed in the JCCP and MDL). And
15 each is marked as confidential or highly confidential pursuant to a protective order in that other
16 litigation. For this reason alone, the Court should maintain these exhibits under seal, under the
17 applicable good cause standard, out of respect for those other courts and their the protective orders.
18 Second, these transcripts are independently sealable under the good cause standard. The deposition
19 of Troy Stevenson (Exhibit 3) is marked as highly confidential and contains testimony regarding
20 internal company strategy and decision making. The Roger Kaiser (Exhibit 13), Andi Pimentel
21 (Exhibit 14), and Jenny Luu (Exhibit 15) transcripts are marked as confidential or highly confidential
22 and contain discussion of internal business decisions and directives, such as internal deliberations on
23 topics such as dash cams. The deposition of Brad Rosenthal (Exhibit 17) is marked as highly
24 confidential attorneys' eyes only, and has extensive discussions of Uber's internal structures, groups,
25 and individual roles and responsibilities. Katy McDonald's transcript (Exhibit 101) contains
26 discussions of a chart of internal roles and responsibilities and non-public safety data. The deposition

transcript for Ryan Graves (Exhibits 112 and 113) in litigation against Uber by taxi companies is marked as “Confidential – Attorneys’ Eyes Only.” Exhibit 113 is the *entire* deposition transcript, containing extensive testimony on confidential information about Uber. Uber has expended significant resources developing its business strategies, data, and plans. Uber’s non-public internal organization, structure, and roles and responsibilities should likewise be protected from disclosure because its internal structures are a critical business decision, created strategically to reflect and achieve its priorities and goals. Therefore, disclosure of this information risks harm to Uber through its competitors utilizing the information and copying processes. Likewise, internal strategy deliberations on confidential business decisions must be protected to avoid harm by chilling open and honest discussion and innovation.

5. I have reviewed Exhibits 2, 5, 6, 7, 8, 9, 10, 11, 12, 16 to the Declaration of Roopal Luhana in Support of Plaintiffs’ Brief in Opposition to Defendants’ Motion for Protective Order. These exhibits relate to Uber CEO Dara Khosrowshahi. These exhibits contain discussions and notes regarding confidential internal business strategy and decision-making processes, communications strategy, and other types of confidential business information. For example, Exhibit 12 is an email discussion marked confidential deliberating on a potential safety initiative. Exhibit 6 is a confidential internal chat about strategy and considerations for an audio recording product feature. Exhibit 10 is an email about a confidential compensation proposal for Uber’s leadership. Exhibit 2 is a chat about communications strategy. Exhibit 5 is an email containing a detailed strategy discussion that includes detailed internal information on safety product features. Exhibit 7 is a set of notes from a strategy discussion with Uber’s executive leadership team, containing confidential business information. Exhibit 9 is an email that also relates to an executive-level decision on a potential safety product feature, and Exhibit 8 similarly is an internal chat regarding strategic direction given by Uber’s CEO on the business’s priorities. And Exhibit 11 is a confidential email discussing Uber’s internal tracking of safety data. Finally, Plaintiffs include as Exhibit 16 a document (apparently created by Plaintiffs) citing to and quoting from several other confidential documents, including the confidential deposition

1 transcript of Andi Pimentel, regarding strategic business decisions. The material in these documents
2 consists of confidential information about financial compensation, communication strategies,
3 confidential research and product feature proposals, and analysis of safety policies and procedures.
4 Uber has expended significant resources developing its internal policies, procedures, business
5 strategies and plans, product proposals, and research. Therefore, disclosure of this information risks
6 harm to Uber through its competitors utilizing the information and copying processes. Relatedly,
7 internal strategy deliberations on confidential business decisions must be protected to avoid harm by
8 chilling open and honest discussion and innovation.

9 6. I have reviewed Exhibits 18, 19, 21, 22, 23, 24, 25, 29, 30, 31, 32, 33, 34, 35, 36, 37,
10 38, 39, 129, 131, 134, 135, and 136 to the Declaration of Roopal Luhana in Support of Plaintiffs' Brief
11 in Opposition to Defendants' Motion for Protective Order. These exhibits relate to Uber founder and
12 former CEO Travis Kalanick. They contain extensive information and discussion regarding internal
13 company plans, priorities, deliberations, strategy, product design, and more. Exhibit 18 is a
14 confidential email from Mr. Kalanick regarding internal Uber strategy and priorities, while Exhibit 19
15 is an email with notes from a meeting discussing internal strategy and business plans. Exhibit 21 is
16 an email regarding a confidential product feature proposal. Exhibit 22 is an email about Uber's safety
17 policy and data. Exhibit 23 is a chat discussing product design details. Exhibit 24 is a confidential
18 email discussing Uber's response to a particular safety incident, which discloses details regarding
19 internal company policy and strategy. Exhibits 29 and 31 are emails that dictate company strategy on
20 public communications on regulatory and safety issues. Exhibit 32 is a confidential internal Q&A
21 document with Mr. Kalanick that details company strategy and plans on a range of issues and Exhibit
22 33 is similarly an email from Mr. Kalanick regarding internal structure and roles and responsibilities
23 that reveals internal company priorities and strategy. Exhibit 34 is an extensive discussion of company
24 policy on independent driver eligibility. Exhibits 35, 36, and 37 are internal emails regarding strategy
25 for public communications and media response. Exhibit 38 is an extensive set of notes detailing and
26 evaluating all aspects of safety policy and structure at Uber and future strategic plans in that area.

1 Plaintiffs include as Exhibit 39 a document (apparently created by Plaintiffs) citing to and quoting
2 from several other confidential documents. Among these are Exhibit 129, which is a confidential
3 email regarding business strategy for addressing potential city regulations. Exhibit 131 is a
4 confidential email about strategy discussions with an executive candidate. Exhibits 134 and 135 are
5 confidential emails discussing safety strategy, internal roles and responsibilities, operations,
6 organization, and company policy. The material in these documents consists of confidential
7 information about confidential research and product design proposals, communication strategies, and
8 analysis of safety policies and procedures. Uber has expended significant resources developing its
9 internal policies, procedures, business strategies and plans, product proposals, and research.
10 Therefore, disclosure of this information risks harm to Uber through its competitors utilizing the
11 information and copying processes. Relatedly, internal strategy deliberations on confidential business
12 decisions must be protected to avoid harm by chilling open and honest discussion and innovation.

13 7. I have reviewed Exhibits 40, 41, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 137, 138,
14 140, 142, 143, 145, and 146 to the Declaration of Roopal Luhana in Support of Plaintiffs' Brief in
15 Opposition to Defendants' Motion for Protective Order. These exhibits relate to Uber's Chief
16 Marketing Officer and Senior Vice President Jill Hazelbaker. They contain extensive confidential
17 information regarding internal company strategy on public communications, safety data, policies, and
18 procedures, and financial information regarding business partners. For example, Exhibits 46, 47, 49,
19 50, and 51 are email discussions containing detailed internal data and financial information related to
20 background check policies and proposals. Exhibits 40 and 53 are emails containing discussion of
21 internal strategy on safety issues and communication, as is Exhibit 41, which also contains data on
22 proprietary market research. Exhibit 43 is an email discussing a confidential product feature proposal,
23 while Exhibit 44 is an email discussing a safety initiative, including internal details on product features
24 and strategy. Exhibit 45 is another email that relates to internal company policy and strategy on
25 information sharing regarding independent driver deactivation. Exhibit 48 is an internal chat
26 discussing background check policies. Exhibit 52 discloses internal regulatory strategy and Exhibit
27

53 discloses strategy on communications related to safety issues. Plaintiffs include as Exhibit 54 a document (apparently created by Plaintiffs) citing to and quoting from several other confidential documents. Among these are Exhibit 137, which is a confidential chat disclosing strategy for communications on safety issues. Exhibit 138 discusses business strategy and proprietary data on various safety issues and Exhibit 140 similarly includes internal proposals related to safety-related communications. Exhibits 142, 143, and 144 include confidential strategy related to Uber's U.S. Safety Report. Exhibit 145 discusses the strategy and implementation of the Safety Report and communications about this topic. Finally, Exhibit 146 is a confidential internal document summarizing a meeting at which Uber's business strategies on policy and communication topics were discussed. The material in these documents consists of confidential information about confidential communication strategies, proprietary data, and analysis of safety policies and procedures. Uber has expended significant resources developing its internal policies, procedures, business strategies and plans, product proposals, and research. Therefore, disclosure of this information risks harm to Uber through its competitors utilizing the information and copying processes. Relatedly, internal strategy deliberations on confidential business decisions must be protected to avoid harm by chilling open and honest discussion and innovation. Importantly, while communications strategy relates to public-facing statements, internal strategies and guidance on communications are nevertheless confidential and developed at great expense—communication strategy is entitled to confidentiality just as much as business strategy.

8. I have reviewed Exhibits 55, 56, 57, 58, 59, 149, 150, 151, 152, 153, and 155 to the Declaration of Roopal Luhana in Support of Plaintiffs' Brief in Opposition to Defendants' Motion for Protective Order. These exhibits relate to Uber's former Senior Vice President for Communications and Public Policy Rachel Whetstone. They contain detailed information about internal confidential safety policies and procedures and communication strategy. For example, Exhibit 55 is an email discussing company policies, strategy, organization, and communications on safety issues. Exhibit 56 is an email with discussion of similar topics for the European market. Exhibit 57 is marked as highly

1 confidential and includes internal research, company strategy, and policy discussions. Exhibit 58 is
2 an internal confidential document providing guidelines on safety-related messaging. Plaintiffs include
3 as Exhibit 59 a document (apparently created by Plaintiffs) citing to and quoting from several other
4 confidential documents. Among these are Exhibit 149, which is a confidential document providing a
5 strategic review of Uber's safety policies and communication strategy. Exhibit 150 is a document
6 relating to policy and government relations, which discloses Uber's strategies and priorities on these
7 topics, while Exhibit 155 is an email on the same topics. Exhibit 151 is an email about strategy for
8 communicating about safety issues. Exhibit 152 details internal company strategy on driver
9 community guidelines, and Exhibit 153 is a discussion of independent driver deactivation policies that
10 discloses internal company strategies and roles and responsibilities. The material in these documents
11 consists of confidential information about confidential communication strategies, policy issues, and
12 analysis of safety policies and procedures. Uber has expended significant resources developing its
13 internal policies, procedures, business strategies and plans, product proposals, and research.
14 Therefore, disclosure of this information risks harm to Uber through its competitors utilizing the
15 information and copying processes. Relatedly, internal strategy deliberations on confidential business
16 decisions must be protected to avoid harm by chilling open and honest discussion and innovation.
17 Importantly, while communications strategy relates to public-facing statements, internal strategies and
18 guidance on communications are nevertheless confidential and developed at great expense—
19 communication strategy is entitled to confidentiality just as much as business strategy.

20 9. I have reviewed Exhibits 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75,
21 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89 90, 91, 92, 93, 94, 95, 96, 97, 98, 156, 157, 158,
22 159, 160, 161, and 162 to the Declaration of Roopal Luhana in Support of Plaintiffs' Brief in
23 Opposition to Defendants' Motion for Protective Order. These exhibits relate to Uber's Chief Product
24 Officer Sachin Kansal. The information in these documents includes proprietary and confidential
25 information and data about product research and product proposals. For example, Exhibit 60 is a
26 document discussing proprietary research and proposed safety features. Exhibit 61 is an email about

1 company strategy and a pilot program for a safety feature. Exhibits 62, 64, 65, 69, 85, 86, 87, 88, 89,
 2 95, 158, and 159 are presentations (or draft presentations) that contain internal proprietary research
 3 and data and confidential information about the details of safety product features and proposals.
 4 Exhibit 63 is a document that details a meeting to discuss internal business strategy and research on
 5 safety issues and proposals. Exhibit 66 is an internal chat on business strategy, technology, and cost
 6 information. Exhibit 67 is a document that details company information on technology and product
 7 usage. Exhibit 68 is an email discussion detailing research, technology, and company policies on a
 8 safety product. Exhibit 70 is a draft document about a strategy meeting on product design, detailing
 9 plans, proposals, and processes on product design. Exhibits 71, 72, 73, 74, 75, 76, 77, and 93 are
 10 confidential emails on internal research, technology, and strategy on product feature proposals.
 11 Similarly, Exhibits 78, 79, and 80 are confidential emails on business strategy for policy and safety
 12 issues and proposals. Exhibit 82 is a draft document on safety perception and incident reduction that
 13 details plans and proposals and policies on a broad range of safety issues. Exhibits 83 and 84 are
 14 emails about strategy for communications on safety issues. Exhibit 90 is an internal document related
 15 to a meeting on data and safety initiatives. Exhibit 91 is an email that details safety categories, business
 16 priorities, research, and plans. Exhibit 92 is an email that discloses strategy considerations for a safety
 17 feature proposal. Exhibit 94 is a draft document on Uber's safety brand platform which details safety
 18 policy, strategy, and business plans from a brand perspective. Exhibit 96 is a presentation that details
 19 confidential internal processes on safety incident report management. And Exhibit 97 is a confidential
 20 email that includes detailed internal statistics and research on safety issues in various markets.
 21 Plaintiffs include as Exhibit 98 a document (apparently created by Plaintiffs) citing to and quoting
 22 from several other confidential documents. Among these are Exhibit 156, which is a transcript of an
 23 internal presentation by Mr. Kansal regarding business strategy and potential new product features.
 24 Exhibit 157 is a confidential strategy document regarding communications strategy at a campus
 25 product demonstration. Exhibit 160 is an internal email that discusses plans and internal
 26 considerations related to potential safety features. Exhibit 161 is an internal chat discussing strategy

1 for an upcoming meeting about proposed product safety features. Finally, Exhibit 162 is a confidential
2 presentation entitled “Safety Product Overview” that discloses internal data on public perceptions and
3 proposals for future safety features. Uber has expended significant resources developing its product
4 design, business strategies, proprietary data, and other business plans. Uber’s non-public internal
5 organization, structure, and roles and responsibilities should likewise be protected from disclosure
6 because its internal structures are a critical business decision, created strategically to reflect and
7 achieve its priorities and goals. Therefore, disclosure of this information risks harm to Uber through
8 its competitors utilizing the information and copying processes. Likewise, internal strategy
9 deliberations on confidential business decisions must be protected to avoid harm by chilling open and
10 honest discussion and innovation. And while communications strategy relates to public-facing
11 statements, internal strategies and guidance on communications are nevertheless confidential and
12 developed at great expense—communication strategy is entitled to confidentiality just as much as
13 business strategy. Finally, while many product design features are publicly disclosed and marketed,
14 Uber is entitled to maintain the confidentiality of its internal design, execution, and strategy behinds
15 its proprietary product design and safety features.

16 10. I have reviewed Exhibits 99, 100, and 102 to the Declaration of Roopal Luhana in
17 Support of Plaintiffs’ Brief in Opposition to Defendants’ Motion for Protective Order. These exhibits
18 relate to Uber’s Vice President of Applied Science Frank Chang. The information in these documents
19 includes confidential information about internal company policies and procedures and data on a range
20 of safety and business issues. For example, Exhibits 99 and 102 are confidential emails that detail
21 proprietary policies and procedures for handling JIRA incident reports. Exhibit 100 is a draft
22 presentation designated as highly confidential regarding an internal strategy call for the Global Safety
23 Support team, which contains information about internal confidential business strategy and priorities,
24 including fraud detection, and internal roles and responsibilities. Uber has expended significant
25 resources developing its internal policies and procedures, business strategies, and product features.
26 Uber’s non-public internal organization, structure, and roles and responsibilities should likewise be
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1 protected from disclosure because its internal structures are a critical business decision, created
2 strategically to reflect and achieve its priorities and goals. Therefore, disclosure of this information
3 risks harm to Uber through its competitors utilizing the information and copying processes.

4 11. I have reviewed Exhibits 103, 104, 105, 106, 107, 108, 109, 110, 164, 165, 167, 168,
5 169, 170, 171, 172, and 173 to the Declaration of Roopal Luhana in Support of Plaintiffs' Brief in
6 Opposition to Defendants' Motion for Protective Order. These exhibits relate to Uber's Vice President
7 and Head of Americas Delivery for Uber Sarfraz Maredia. The information in these documents
8 includes confidential information about internal company policies and procedures and data on a range
9 of safety and business issues. For example, Exhibit 103 is a presentation marked highly confidential
10 that discloses internal business structure and roles and responsibilities, and business strategies and
11 plans. Exhibit 104 is an email related to policies for driver deactivations. Exhibit 105 is an email that
12 discloses internal communications and press strategy. Exhibit 106 a confidential email about driver
13 reinstatement that discloses internal processes for such determinations. Exhibit 107 is an email with
14 comments from a confidential draft document that contains a discussion of background check and
15 fraud prevention. Exhibits 108 and 109 are a confidential email chain about background check policies
16 and practices. Plaintiffs include as Exhibit 110 a document (apparently created by Plaintiffs) citing to
17 and quoting from several other confidential documents. Among these are Exhibit 164, which is a
18 document related to a meeting discussing confidential internal data and internal goals on incident
19 reports of safety issues. Exhibit 165 is an email about strategy on driver classification. Exhibit 167
20 is a confidential internal JIRA incident report which contains personal identifying information and
21 discloses details of Uber's confidential internal incident report system. Exhibit 168 is a confidential
22 letter to a regulator providing information on Uber's internal policies, procedures, and data on safety
23 and background check issues, as well as internal operations and divisions. Exhibit 169 is an email
24 discussing strategy for background check operations, including proprietary cost information and
25 business priorities. Exhibit 170 is a confidential presentation that discloses proprietary research,
26 market perception data, and financial information. Exhibits 171 and 173 are confidential emails about

1 internal strategies to implement business priorities, and Exhibit 172 is similarly about business
2 operations for a confidential strategic initiative. Uber has expended significant resources developing
3 its internal policies and procedures, business strategies, proprietary data, and safety features. Uber's
4 non-public internal organization, structure, and roles and responsibilities should likewise be protected
5 from disclosure because its internal structures are a critical business decision, created strategically to
6 reflect and achieve its priorities and goals. Therefore, disclosure of this information risks harm to
7 Uber through its competitors utilizing the information and copying processes. Likewise, internal
8 strategy deliberations on confidential business decisions must be protected to avoid harm by chilling
9 open and honest discussion and innovation. And while Uber provides public information about its
10 background check practices on its website and Safety Reports, its internal discussions and technical
11 policy details are nevertheless confidential and developed at great expense and entitled to
12 confidentiality.

13 12. I have reviewed Exhibits 111, 114, 115, 116, 117, 118, 119, 174, 175, 176, 177, 178,
14 179, 180, 181, 182, 183, 184, and 185 to the Declaration of Roopal Luhana in Support of Plaintiffs'
15 Brief in Opposition to Defendants' Motion for Protective Order. These exhibits relate to Uber's first
16 employee, former CEO, board member, and Senior Vice President of Global Operations Ryan Graves.
17 The information in these documents includes confidential information about internal company policies
18 and procedures and business relationships. For example, Exhibit 111 is a confidential email about
19 safety feature proposals and strategy. Exhibits 114, 115, 116, and 117 are emails about background
20 check policies, procedures, proposals, and business partners. Exhibits 118 and 179 are an email with
21 a business investor partner. Plaintiffs include as Exhibit 119 a document (apparently created by
22 Plaintiffs) citing to and quoting from several other confidential documents. Among these are Exhibit
23 174, an email marked as highly confidential about a potential business acquisition. Exhibit 175 is a
24 highly confidential email regarding business terms with a foreign background check provider. Exhibit
25 176 is another highly confidential email which discusses business strategy regarding a competitor,
26 web design, and background check policies. Exhibit 177 is an email that details business strategies,

1 goals, progress, operations, and finances. Exhibit 178 is an email with a potential background check
2 provider on terms and pricing. Exhibit 180 is a confidential email summarizing a meeting discussing
3 proposals and strategy for background check policy and practices. Exhibit 181 is an email with
4 proposals for product features and safety strategy. Exhibit 182 is a presentation detailing Uber's crisis
5 management strategy, including processes and implementation and business proposals. Exhibit 183
6 is an email discussing strategy for driver feedback on the app. Exhibit 184 is an email detailing
7 communications strategy and priorities. Finally, Exhibit 185 is a confidential email detailing
8 background check policies and business partnerships. Uber has expended significant resources
9 developing its internal policies and procedures, business strategies, proprietary data, and safety
10 features. Therefore, disclosure of this information risks harm to Uber through its competitors utilizing
11 the information and copying processes. Likewise, internal strategy deliberations on confidential
12 business decisions must be protected to avoid harm by chilling open and honest discussion and
13 innovation. And while Uber provides public information about its background check practices on its
14 website and Safety Reports, its internal discussions and technical policy details are nevertheless
15 confidential and developed at great expense and entitled to confidentiality. Similarly, while
16 communications strategy relates to public-facing statements, internal strategies and guidance on
17 communications are nevertheless confidential and developed at great expense—communication
18 strategy is entitled to confidentiality just as much as business strategy.

19 13. I have reviewed Exhibits 120, 121, 122, 123, 124, 125, 186, 187, 188, 189, 190, and
20 191 to the Declaration of Roopal Luhana in Support of Plaintiffs' Brief in Opposition to Defendants'
21 Motion for Protective Order. These exhibits relate to Uber's former Chief Security Officer Joe
22 Sullivan. The information in these documents includes confidential information about strategy,
23 proposals, research, data, and communication on safety policy and practices. For example, Exhibit
24 120 is a draft communication about safety issues that reveals communication strategies. Exhibit 121
25 is another draft document about internal strategy on safety policy issues at Uber. Exhibit 122 is a
26 confidential presentation that details Uber's strategy for business intelligence and other business
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1 strategies. Exhibit 123 details a range of business priorities, plans, and strategies and includes
2 proprietary data and information. Exhibit 124 is an email marked highly confidential discussing
3 strategies on safety issues and proposals across the company. Plaintiffs include as Exhibit 125 a
4 document (apparently created by Plaintiffs) citing to and quoting from several other confidential
5 documents. Among these are Exhibits 186, 187, and 188, confidential emails detailing internal data
6 collection and research requests, business strategies and proposals, and technical information. Exhibit
7 189 is an information discussing communication strategy on safety issues and product features.
8 Exhibit 190 is an email discussion of a safety incident and broader strategy for safety policies and
9 procedures. Finally, Exhibit 191 is a detailed set of confidential internal notes broadly analyzing safety
10 at Uber, including internal data, operations, policy, product features and development, and business
11 plans and goals. Uber has expended significant resources developing its internal policies and
12 procedures, business strategies, proprietary data, and safety features. Therefore, disclosure of this
13 information risks harm to Uber through its competitors utilizing the information and copying
14 processes. Likewise, internal strategy deliberations on confidential business decisions must be
15 protected to avoid harm by chilling open and honest discussion and innovation. And while Uber
16 provides public information about its background check practices on its website and Safety Reports,
17 its internal discussions and technical policy details are nevertheless confidential and developed at great
18 expense and entitled to confidentiality. Similarly, while communications strategy relates to public-
19 facing statements, internal strategies and guidance on communications are nevertheless confidential
20 and developed at great expense—communication strategy is entitled to confidentiality just as much as
21 business strategy.

22 14. The disclosure of the above-described documents could harm Uber’s competitive
23 standing and the legitimate privacy interests of Uber employees and third parties. Uber has expended
24 significant resources developing its internal policies, procedures, business strategies and plans,
25 product proposals, and research, and disclosure of these documents risks harm to Uber through its
26 competitors utilizing the information and copying processes, and poses other risks. No less restrictive
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1 alternative to sealing the documents at issue is sufficient. Uber has already narrowed its request to
2 seal from the material in Plaintiffs' Motion by narrowing redactions, requesting limited redactions in
3 place of fully sealing documents, or not requesting to seal or redact documents where appropriate.
4 Actions short of sealing the documents requested by Uber would not protect Uber's competitive
5 standing and the legitimate privacy interests of Uber employees and third parties.

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7 I declare under penalty of perjury that the foregoing is true and correct.

8
9 Executed on March 21, 2025.

By: /s/ Daniel Cummings

10 Daniel Cummings
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